



MAIL STOP
AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: G. Crawford Attorney Docket No.: GBHS126617
Application No.: 10/646,089 Art Unit: 3752 / Confirmation No: 9601
Filed: August 22, 2003 Examiner: J.S. Hogan
Title: HAZING A BIRD REPELLENT SOLUTION

RESPONSE

Seattle, Washington 98101

November 7, 2006

TO THE COMMISSIONER FOR PATENTS:

Applicant respectfully requests that the above-identified application be re-examined.

The August 7, 2006, Office Action ("Office Action") in the above-identified application rejected all of the claims remaining in this application (2-16, incorrectly identified in the Office Action as 1-16) under 35 U.S.C. § 102(f) on the alleged basis that applicant did not invent the claimed subject matter. The remarks accompanying this rejection note that U.S. Published Patent Publication No. 2004/0035879 (Application No. 10/641,857) appears to disclose and claim the same subject matter as that disclosed and claimed in the present application. The remarks further note that both applications identify the same provisional priority document (Provisional Application No. 60/405,633). As a result, the remarks conclude that a question of derivation exists because in the original provisional priority document, the present applicant, Gary L. Crawford, added Bruce Vergote via a petition. The remarks stated that it appears that, at a minimum, the present applicant derived at least a part of the invention from another inventor, which applicant admits in his priority application. The remarks conclude that applicant should delineate that which he solely invented within the specification and claims or consider if a correction of inventorship is warranted.

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